

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

| | | |
|--|---|--------------------------|
| In re: |) | Chapter 11 |
| |) | |
| CIRCUIT CITY STORES, INC., <u>et al.</u> , |) | Case No. 08-35653 |
| |) | |
| Debtors. |) | Jointly Administered |
| _____ |) | |
| |) | |
| ADA ALICEA, ON BEHALF OF HERSELF |) | |
| AND ALL OTHERS SIMILARLY SITUATED, |) | |
| |) | |
| Movant, |) | |
| |) | |
| v. |) | |
| |) | |
| CIRCUIT CITY STORES, INC., |) | |
| |) | |
| Respondent. |) | |

NOTICE OF MOTION AND HEARING

PLEASE TAKE NOTICE that Ada Alicea, on behalf of herself and all others similarly situated (“Movant”), has filed papers with the Court seeking relief from the automatic stay (the “Motion”), a copy of which has been served on you separately.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) Under Local Bankruptcy Rule 4001-(a)-1, the Court may deem any opposition waived, treat the Motion as conceded, and issue an order granting the requested relief without further notice or hearing unless you take the following steps:

[x] File with the Court, at the address shown below, a written response. If you mail your written response to the court for filing, you must mail it early enough so the Court and the undersigned counsel will receive it on or before **April 24, 2009**.

Troy Savenko (Va. Bar No. 44516)
Leslie A. Skiba (Va. Bar No. 48783)
GREGORY KAPLAN, PLC
7 East Second Street (23224-4253)
Post Office Box 2470
Richmond, Virginia 23218-2470
Phone: (804) 423-7921
Facsimile: (804) 230-0024

Christine M. Ford (NY Bar No. 2897999)
MEISELMAN, DENLEA, PACKMAN,
CARTON & EBERZ P.C.
1311 Mamaroneck Avenue
White Plains, NY 10605
Phone: (914) 517-5000
Facsimile: (914) 517-5055

*Co-Counsel to Ada Alicea, on Behalf of
Herself and All Others Similarly Situated*

William C. Redden, Clerk
U.S. Bankruptcy Court
Eastern District of Virginia
Richmond Division
701 E. Broad Street, Suite 4000
Richmond, VA 23219

You must also deliver a copy to all parties on the Certificate of Service below and to:

Troy Savenko, Esquire
Gregory Kaplan, PLC
7 East Second Street (23224-4253)
Post Office Box 2470
Richmond, VA 23218-2470

[x] Attend the hearing scheduled for April 28, 2009, at 10:00 a.m. before the Honorable Kevin R. Huennkens, U.S. Bankruptcy Court, Room 5000, United States Courthouse, 701 E. Broad Street, Richmond, Virginia 23219.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested.

Dated: April 10, 2009

Respectfully submitted,

/s/ Troy Savenko

Troy Savenko (Va. Bar No. 44516)
Leslie A. Skiba (Va. Bar No. 48783)
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*Counsel to Ada Alicea, on Behalf of
Herself and All Others Similarly Situated*

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of April 2009, a copy of the foregoing Notice of Motion and Hearing was filed and served via the Court's Electronic Case Filing System on all parties receiving such notice, including the following (also by separate e-mail): (a) counsel for the Debtor (circuitcityservice@mcguirewoods.com and project.circuitcity@skadden.com); (b) the United States Trustee (Robert.B.Van.Arsdale@usdoj.gov); and (c) counsel for the Official Committee of Unsecured Creditors (jpomerantz@pszjlaw.com, rfeinstein@pszjlaw.com, ltavenner@tb-lawfirm.com, and pberan@tb-lawfirm.com).

/s/ Troy Savenko
Counsel